

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nigel Sammes, Tracy Murray, Michael Brown, and Warren Ziegler

Application No.: 09/864,070

Group No.: 1745

Filed: 05/22/2001

Examiner: Angela Martin

For: Electrode-Supported Solid State Electrochemical Cell

## Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

## STATUS

2. Applicant is a small entity. A statement was already filed.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$60.00

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	46	—	86	= 0 x \$	25.00	= \$	0.00
INDEP.	1	—	9	= 0 x \$	105.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$	0.00	= \$	0.00
				TOTAL			
				ADDIT. FEE		\$	0.00

No additional fee for claims is required.

#### **FEE PAYMENT**

5. Authorization is hereby made to charge the amount of \$60.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

#### **FEE DEFICIENCY**

6. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: February 20, 2008

/Jeffrey T. Klayman, #39250/

Jeffrey T. Klayman

Registration No. 39,250

Bromberg & Sunstein LLP

125 Summer Street

Boston, MA 02110

USA

617-443-9292

Customer No. 02101

02354/00114 824129.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Sammes et al.	Atty Dkt:	2354/114
Serial No.:	09/864,070	Art Unit:	1745
Date Filed:	May 22, 2001	Examiner:	Angela Martin
Invention:	ELECTRODE-SUPPORTED SOLID STATE ELECTROCHEMICAL CELL		

---

VIA USPTO ELECTRONIC FILING SYSTEM

---

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In response to the Office action of December 20, 2007, Applicants hereby elect Species V including claims 32-34, 43-46 and 106 for prosecution on the merits in the event that no generic claim is finally held to be allowable.

Applicants also request that claims 48-53 be included in Species V. As noted by the Examiner, Species V is drawn to an anode comprising two anode layers (i.e., the subject matter of claim 46), while Species VI is drawn to an anode comprising more than two anode layers (i.e., the subject matter of claim 47). Claims 48-53, which are currently included in Species VI but not in Species V, do not relate to the specific number of anode layers, are not dependent on either claim 46 or 47, and therefore are generic with respect to claims 46 and 47. Applicants respectfully submit that claims 48-53 are properly included in both Species V and Species VI.

Applicants request a telephone conference with the Examiner and request that the Examiner contact the undersigned, Jeffrey T. Klayman, to coordinate further prosecution.

Applicants petition for a one month extension of time. In the event that a further extension is needed, this conditional petition of extension is hereby submitted. Applicants request that deposit account number 19-4972 be charged for any fees that may be required for the timely consideration of this application.

February 20, 2008

Respectfully submitted,

/Jeffrey T. Klayman, #39,250/

Jeffrey T. Klayman  
Registration No. 39,250  
Attorney for Applicants

BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston MA 02110-1618  
Tel: 617 443 9292  
Fax: 617 443 0004

02354/00114 824078.1